Message

From: Wirick, Holiday [wirick.holiday@epa.gov]
Sent: 10/22/2020 2:21:18 PM
To: Wax, Peter N. [pwax@nd.gov]
Subject: Re: Request your review of recommended language for footnote 1 in Table 2

Pete, here's the language regarding selenium I included in the draft letter that my supervisor is reviewing:

DEQ proposes to adopt EPA's recommended criteria for selenium in fish flesh without EPA's accompanying recommended water column values. The proposed approach of retaining the state's existing selenium water column values but adding EPA's fish tissue values would not be defensible and protective, unless the state can provide data and information to explain why it is appropriate to link the existing water column values with our national recommended fish tissue values. [While we understand that in North Dakota, the linkage between selenium in fish flesh and water column concentrations has not been substantiated], EPA encourages the state to continue to work on these criteria and is willing to assist and help advise DEQ on conducting future studies and sampling design.

From: Wax, Peter N. <pwax@nd.gov>
Sent: Thursday, October 22, 2020 7:15 AM
To: Wirick, Holiday <wirick.holiday@epa.gov>
Subject: RE: Request your review of recommended language for footnote 1 in Table 2

Holly, Make sure you include that the selenium will not fly. Pete

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From: Wirick, Holiday
Sent: Wednesday, October 21, 2020 3:37 PM
To: Wax, Peter N. <pwax@nd.gov>
Subject: Request your review of recommended language for footnote 1 in Table 2

Hi Pete, can you please take a quick look at Maggie's recommendation for revising Footnote 1? I think it looks good, but just wanted to run it by you to make sure it makes sense to you. Thanks.

We recommend clarifying footnote 1 at the bottom of p. 16. As written, it is confusing. It reads: "Except for the aquatic life values for metals, the values given in this appendix refer to the total (dissolved plus suspended) amount of each substance. For the aquatic life values for metals, the values refer to the total recoverable method for ambient metals analyses." EPA recommends that aquatic life criteria be implemented with the dissolved fraction with a few exceptions, for example aluminum.

- If it is North Dakota's intent to implement most aquatic life metals criteria as a dissolved fraction, footnote 1 could read "Except for the aquatic life values for metals, the values given in this appendix refer to the total (dissolved plus suspended) amount of each substance. For the aquatic life values for metals, the values refer to the ~~total recoverable method for ambient metals analyses~~ dissolved fraction unless otherwise noted."
- If it is North Dakota's intent to implement most aquatic life metals criteria as a total fraction, footnote 1 could read "~~Except for the aquatic life values for metals, t~~The values given in this appendix refer to the total (dissolved plus suspended) amount of each substance unless otherwise noted. ~~For the aquatic life values for metals, the values refer to the total recoverable method for ambient metals analyses.~~"

We note that North Dakota's proposed revisions to the hardness-based aquatic life metals criteria do not include conversion factors found in Appendices A and B of EPA's nationally recommended aquatic life criteria. These conversion factors convert the total fraction of the metals to the dissolved fraction of the metals, consistent with EPA recommendation. If it is North Dakota's intent to implement its aquatic life metals criteria as a dissolved fraction, we recommend adding the metal-specific conversion factor for each metal.